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*November 18, 2005*  
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**Section 4. Reply to the Office re Drawing objections**

Applicant respectfully requests that the examiner accept the herein supplied replacement drawings. All necessary changes have been made to the drawings to conform to examiner's recommendations. In particular, slits are indicated in Fig. 5 at arrow 20.



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**Section 5. Reply to Office Action Re: §112 Rejection**

Applicant respectfully requests the reconsideration of the §112 objections raised in the Office Action, based on the amended claims above.



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#### Section 6. Reply to the Office re §102 rejections

Applicant respectfully requests the reconsideration of the §102 rejections raised in the Office Action, based on the following considerations. Examiner suggests that independent claim 1 and dependent claims 5, 7, and 11-14 in the instant application are anticipated by U.S. patent 4,578,814 (Skamser '814), to applicant Skamser. As originally filed, examiner states that the aforementioned patent discloses applicant's invention. Specifically, Skamser discloses a transportable packaging system comprising a bag with a plurality of attached layers and an integrally attached handle.

In light of the recent amendments made to the claims in section 1 above, applicant requests reconsideration of the examiner's decision. Applicant has amended claim 1 above to reflect the invention's utilization of a third layer with an integrally attached handle. This has a number of advantages over the prior art. First, the third layer allows the proposed invention to be manufactured in a more efficient and economical way. Skamser '814 requires a manufacturer to physically add separate components to their respective bag such as handles and pockets for storage. This results in increased costs due to labor and parts as well as a slow down in production. The present invention eliminates this step by allowing the third layer to be easily sliced into a handle or pocket depending on the user's needs. Since the invention is essentially one large component, this saves time and money in production and assembly.

In addition, the handle of the present invention is stronger and more stable than the prior art. The handle of the present invention is comprised from the third layer of the bag, thus eliminating the need to so an additional component onto the bag to act as a handle. Skamser '814 discloses a handle that is sewn into the seams between the top and side panels. These seams can become undone when exposed to excessive weight or by prolonged use. The strength of the prior art bag quickly degenerates over time and reduces the usefulness. The present invention improves the strength of the handle by creating the handle out of the third layer. There is no need to sew the handle into any portion of the bag since the third layer of the invention comprises the handle. By integrating the handle into the third layer, the durability of the invention is greatly increased when exposed to increased weight.



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#### **Section 7. Reply to the Office re §103 rejections**

Applicant respectfully requests the reconsideration of the §103 rejections raised in the Office Action, based on the following considerations. Examiner suggests that independent claim 1 and dependent claims 7-9, 10-11, and 14-16 in the instant application are rendered obvious by U.S. patents D372,858 (Sunley '858) and 4,578,814 (Skamser '814), to applicants Sunley and Skamser respectively. As originally filed, examiner first argues that claims 1, 7-9, 11, and 14-16 would have been obvious to one having ordinary skill in the art at the time the invention was made to form the bag of Sunley.

In response to examiner's first argument, applicant has amended claim 1 to limit the function of the present invention to only transporting food products. Sunley '858 specifically limits itself to an ornamental design for a sand bag and therefore teaches away from a bag that is designed to transport food products. The sandbag is geared towards an industrial application and it would not be obvious to someone skilled in the art to convert it into a food transportation device. Since Sunley '858 no longer poses a §103 problem under claim 1, claims 7-9, 11, and 14-16 likewise avoid the §103 issue due to their reliance on claim 1.

Examiner also argues that claims 8-10 and 15 would have been obvious to one having ordinary skill in the art at the time the invention was made to form the bag of Skamser. For the purposes of this argument, please refer to the arguments in section 6 above. Claim 1 has been amended to avoid the § 102 & § 103 issues raised by examiner. The three layered design of the bag provides significant improvements over the prior art.



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**Remarks**

Every effort has been made to constructively amend each area of the claims and specification in accordance with all of the examiner's observations in the above-referenced Office Action. Accordingly, applicant respectfully requests a timely Allowance in this case.

Respectfully Submitted,

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